

Message Text

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SUBJECT: NOVEMBER, A MONTH FOR TRIALS

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1. NOVEMBER HAS BEEN MARKED BY SPATE OF TRIALS PRIMARILY INVOLVING STUDENTS AND OTHERS ACCUSED OF VIOLATING EMERGENCY MEASURE NINE (EM-9) BUT ALSO INCLUDING A SPRINKLING OF SESSIONS OF NON-EM TRIALS SUCH AS THAT OF KIM TAE-CHUNG, LAWYER HAN SUNG-HON, AND NCCC-K CLERGYMEN. ONE REASON FOR THE OUTBREAK OF TRIALS IN NOVEMBER IS THAT IT IS SIX MONTHS SINCE THE FIRST ARRESTS OF PERSONS UNDER EM-9 IN LATE MAY AND EARLY JUNE. UNDER KOREAN LAW, PERSONS ARRESTED MUST BE BROUGHT TO TRIAL WITHIN SIX MONTHS OF THEIR ARREST. FOLLOWING IS AN UPTODATE SUMMARY OF TRIALS CURRENTLY UNDERWAY OR CONCLUDED.

2. EMERGENCY MEASURE NINE (EM-9) TRIALS:

MYONGDONG GROUP - TWENTY-TWO STUDENTS FROM EIGHT UNIVERSITIES ARRESTED IN LATE MAY FOR LEAFLET DISTRIBUTION. STUDENTS ACCUSED OF UTILIZING RELIGIOUS MEETINGS AT MYONGDONG CATHOLIC CATHEDRAL TO FORM COMMITTEE TO ORGANIZE ANTI-GOVERNMENT ACTIVITIES. FIRST TRIAL SESSION NOVEMBER 10 ADJOURNED BECAUSE STUDENTS PROTESTED MANACLES, REFUSED TO ANSWER QUESTIONS, SECOND TRIAL

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SESSION NOVEMBER 24 ALSO ADJOURNED AFTER STUDENTS REFUSED TO

ANSWER QUESTIONS AND TEN HAD MADE STATEMENTS DENOUNCING TRIAL, EM-9, YUSHIN CONSTITUTION. NEW NEW TRIAL SESSION DATE ANNOUNCED.

SEOUL NATIONAL GROUP - 30 STUDENTS HEAVILY REPRESENTED BY SNU STUDENTS BUT INCLUDING STUDENTS FROM KOREA AND OTHER UNIVERSITIES. ARRESTED AFTER MAY 22 ANTI-GOVERNMENT DEMONSTRATIONS ON SNU CAMPUS. AT FIRST TRIAL SESSION NOVEMBER 21 IN YONGDUNG PO COURT, STUDENTS SANG NATIONAL ANTHEM, REFUSED TO ANSWER QUESTIONS. JUDGE ADJOURNED SESSION AFTER ANNOUNCING THAT STUDENTS WOULD HENCEFORTH BE TRIED SEPARATELY. ONLY TWO RELATIVES OR FRIENDS PER STUDENT DEFENDENT PERMITTED INTO COURTROOM.

KIM CHIN-SU - ON NOVEMBER 18, KIM CHIN-SU WAS SENTENCED TO ONE YEAR IN PRISON ON CHARGES THAT AS STUDENT COUNCIL CHAIRMAN AT KOREA THEOLOGICAL SEMINARY HE ORGANIZED ANTI-GOVERNMENT DEMONSTRATIONS. HE WAS ARRESTED IN LATE MAY.

YI PU-YONG AND YI SIM-POM - YI PU-YONG, WAS ONE OF LEADERS OF THE TONGA ILBO REPORTERS GROUP FIRED FOR FREEDOM OF PRESS ACTIVITIES. YI SIM-POM WAS A FORMER STUDENT ACTIVIST AT SNU. THEY WERE ARRESTED SIX MONTHS AGO AND CHARGED WITH DISTRIBUTION AND POSSESSION OF ANTI-GOVERNMENT LITERATURE. IN THIS CASE, THE UNITED PRESBYTERIAN CHURCH OF THE USA RESOLUTION ON KOREA. AT FIRST TRIAL SESSION NOVEMBER 21, YIS WERE BRIEFLY QUESTIONED BY JUDGE. NEXT SESSION IS DECEMBER 5.

3. NON-EMERGENCY MEASURE NINE (EM-9) TRIALS

TRIAL OF LAWYER HAN SUNG-HON - ON SEPTEMBER 11, HAN SUNG-HON WAS SENTENCED TO 18 MONTHS IMPRISONMENT AND 18 MONTHS FORFEITURE OF CIVIL RIGHTS ON GROUNDS ARTICLE HE WROTE ABOUT CAPITAL PUNISHMENT WAS CRITICAL OF GOVERNMENT EXECUTION OF ALLEGED ENEMY AGENT. HAN APPEALED SENTENCE. AT FIRST SESSION OF APPEALS COURT NOVEMBER 18, HAN REPEATED HIS CONTENTION THAT ARTICLE SCHOLARLY, PHILOSOPHICAL STUDY, NOT ANTI-GOVERNMENT. SECOND SESSION NOVEMBER 26 GIVEN OVER TO ROUTINE OPENING STATEMENTS. NEXT SESSION NOT ANNOUNCED. HAN'S TRIAL REPORTED BRIEFLY IN PAPERS.

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TRIAL OF NCCC-K CLERGYMEN - REV. CHO SUNK-HYAK, REV. PAK HONG-KYU, REV. KWON HO-KYONG WERE CONVICTED WITH REV. KIM KWN-SOK, NCCC-K GENSEC ON SEPTEMBER 6 OF MISUSING CHURCH FUNDS FOR POLITICAL PURPOSES AND WERE SENTENCED TO SIX, AND SEVEN AND EIGHT MONTHS IMPRISONMENT RESPECTIVELY. PROSECUTOR APPEALED LIGHTNESS OF SENTENCES GIVEN TO CLERGYMEN AND FIRST HEARINGS IN APPELLATE COURT WERE HELD NOVEMBER 25. PROSECUTOR ASKED ON NOVEMBER 25 FOR ADDITIONAL TIME TO STUDY DISTRICT COURT

PROCEEDINGS. JUDGE SET NEXT SESSION FOR DECEMBER 10, REV. CHO HAS COMPLETED HIS SIX MONTH SENTENCE BUT HAS BEEN BOUND OVER IN PRISON UNTIL THE APPEAL IS CONCLUDED.

KIM TAE-CHUNG TRIAL - LENGTHY TRIAL OF FORMER PRESIDENTIAL CANDIDATE KIM TAE-CHUNG ON CHARGES HE VIOLATED ELECTION LAWS IN 1967 AND 1971 ESCALATED TO SUPREME COURT NOVEMBER 4 ON BASIS OF KIM APPEAL. ON SEPTEMBER 12, PROSECUTOR DEMANDED FIVE YEARS FOR KIM. ON SEPTEMBER 25 KIM CHALLENGED JUDGE PRESIDING AT HIS TRIAL. CHALLENGE WAS REJECTED BY DISTRICT COURT AND BY APPELLATE COURT ON OCTOBER 20. ON NOVEMBER 4, KIM TOOK CHALLENGE TO SUPREME COURT, WHERE IT STILL UNDER CONSIDERATION.
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